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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/416,278

Applicant(s)

TEMPLETON, BRADLEY S.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/24/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 28-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 28-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The following is a response to the amendment received on 05/08/02. In response, claims 1-16 were elected. The preliminary amendment filed concurrently with the election of claims 1-16 were elected, claims 17-27 were canceled, and claims 28-53 have been added. Claims 1-16, 28-49, and 53 have been reviewed on the merits in the following action.

Election/Restrictions

2. Applicant's election without traverse of claims 1-16 in Paper No. 9 is acknowledged.
3. Newly submitted claims 50-52 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claims 50-52 are attempting to create a combination of Group I and II from the restriction requirement. Claims 50-52 are directed to the subject matter of restricted claims 17-27, which dealt with prioritizing requesters and establishing requestors' relationships to the target for priority reasons. As with claims 17-27, claims 50-52 are related to a subcombination useable together with claims 1-16, 28-49, and 53.

Since applicant elected Group I without traverse, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 50-52 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP §821.03.

Information Disclosure Statement

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4. Foreign Patent Document 0 557 777 A1 contained in the information disclosure statement filed 7/3/2000 was not considered because it is not in the English language and no translation or concise explanation of its relevance was provided to the examiner. See 37 CFR 1.98 A(3) which states that a concise explanation of relevance for non-english language information is required. The document has been placed in the application file, but the information referred to therein has not been considered.

Specification

5. Applicant is requested to revise the abstract of the disclosure. The final sentence of the abstract in lines 10-11 appears to reference the restricted elements of the pending invention. Omission of this sentence is suggested to properly represent the prospective invention.

6. The disclosure is objected to because of the following informalities:

(a) Referencing nonexistent Figures. The reference of Figure 1 on page 4, line 29, of the specification in conjunction with references to certain elements indicates the inventor's intent to reference Figure 1(a). The reference to Figure 9 on page 16, line 29, of the specification in conjunction with embodiment disclosed hereto indicates the inventor's intent to reference any one of figures 9(a)-9(c). Appropriate correction is required.

(b) Inconsistent numbering of elements. The following elements referenced on page 7, lines 19-20 and 25-26, do not correspond to Figures 2(d) and 2(e), respectively, as disclosed: requester's system 236, network 234, requester's system 242, target's system 246, and network 244 to be numbered. The specification indicates the intent of the inventor to use this numbering scheme in the disclosed drawings. Also, the reference of element 304 on page 8, line 9, of the specification as the step of the requester requesting a real-time meeting is inconsistent with

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disclosed Figure 3. Similarly, the reference of element 808 on page 14, line 25, as the step embodying the end of the call is inconsistent with disclosed Figure 8. The wording of the specification indicates the inventor's intent to actually reference elements 302 and 810, respectively. Appropriate correction is required.

7. The identification of the informalities above is a mere guide. Additionally, applicant is requested to review the specification thoroughly and correct other deficiencies, if any.

Drawings

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "222" and "232" have both been used to designate the Target User's System in Figure 2(d). Since reference character "222" has been used in Figure 2(c) to designate the Requesting User's System, the drawings are further objected to as failing to comply with 37 CFR 1.84(p)(4). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

9. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference signs not mentioned in the description: reference character 308 of figure 3 and reference characters 402, 404, 412, and 418 of figure 4. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference signs in the description, is required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

10. Claim 42 is objected to because of the following informalities: typographical error. The period at the end of this claim has been omitted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-44, 49, and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Vardi et al. (U.S. 6,389,127).

16. As per claim 1, Vardi et al. discloses a computer-implemented method for the intermediation of real time meetings, comprising:

Receiving an indication by a requester system that a requester wants to request a real time meeting with a target (See column 1, lines 53-56 and column 5, lines 22-31, which disclose a user at a request server wanting to request a real time meeting with a target);

Sending to the target a request to conduct a real time meeting (See column 5, line 67, column 6, lines 1-5, 6-13, and 26-32, and column 7, lines 50-59, which discloses the request server sending to the target a request);

Queuing the request by the requester system (See column 5, lines 41-43 and 62-63, column 6, lines 6-12, and column 7, 39-44 and 57-64, wherein the request of the requestor is held and considered pending until the requested parties are available for the requested meeting to occur. The request of the requester does not reach the target until he is available to view the request); and

Connecting the requester and the target when the requester and the target are mutually available (See column 7, lines 39-48 and 53-67, which discuss the connecting of calls).

Vardi et al. discloses a system that allows a requester using a requestor system to send a request for a conference to the system of a target and determine the availability of the target. If the target is not currently available, the request of the requester waits for the target to become available and then the request is dealt with. When both the requester and the target are available, the parties are connected and the conference occurs.

17. As per claim 2, Vardi et al. discloses a method that further comprises dequeuing the request when the real time meeting successfully completes (See column 6, lines 9-12 and column 7, lines 39-43, wherein when the request for conference completes, the parties' status once again reflects availability and the previously pending request is then nonexistent).

18. As per claim 3, Vardi et al. discloses a method wherein a system of the target is polled to determine the target's availability (See column 5, lines 22-25 and 67 and column 6, lines 1, 9-12,

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and 26-32, wherein the target is polled via a status acquirer to determine the availability of the target).

19. As per claim 4, Vardi et al. discloses a method wherein the system of the target sends the target's availability status to the requester (See column 6, lines 9-12, 26-32, and 54-59, and column 7, lines 39-43 and 49-67, wherein the target's availability is sent to the requester via the request server and the status acquirer).

20. As per claim 5, Vardi et al. discloses a method wherein a system of the requester is polled to determine the requester's availability (See column 5, 66-67, column 6, lines 1, 6-10, and 54-59, column 7, lines 49-67, and column 8, lines 1-6 wherein the target initiates a request for the status of the requester and the process repeats itself in the opposite manner. See specifically column 8, lines 3-6).

21. As per claim 6, Vardi et al. discloses a method wherein a system of the requester sends the requester's availability status to the target (See column 5, 66-67, column 6, lines 1, 6-10, and 54-59, column 7, lines 39-43 and 49-67, and column 8, lines 1-6, wherein the target initiates a request for the status of the requester and the process repeats itself in the opposite manner, the status of the requester being delivered to the target. See specifically column 8, lines 3-6).

22. As per claim 7, Vardi et al. discloses a method wherein mutual availability is determined by checking the availability of the requester and the target (See column 7, lines 39-43, 49-64, and 65-67, and column 8, 1-6, which discloses the callback function, wherein the requester requests a conference with the target and upon his/her availability, the target subsequently requests from the requester a real time meeting. See specifically column 8, lines 3-6. The

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process repeats until both parties are available for the real time meeting at which point the meeting initiates).

23. As per claim 8, Vardi et al. discloses a method wherein the request is sent to a plurality of targets and mutual availability is determined when the requester and a quorum of the targets are available (See column 7, lines 49-64, wherein the conference call is initiated when the requester and the people currently available on the request for a conference call are ready).

24. As per claim 9, Vardi et al. discloses a computer-implemented method for the intermediation of real time meetings, comprising:

Receiving, by a target system from a requester system, an indication that a requester wants to request a real time meeting with a target (See column 1, lines 53-56, column 5, lines 22-31, lines 1-9, column 7, lines 39-48, and column 8, lines 1-6, which disclose the requester system indicating through a request sent to the target system that a user of the requester system desires a real time meeting. See also column 5, line 67, and column 6, lines 1-9, which explains the request server associated with the request system sending a request to the status acquirer associated with the target system);

Queuing the request by the target system (See column 5, lines 41-43 and 62-63, column 6, lines 6-12, and column 7, 39-44 and 57-64, wherein the request of the requestor is held and considered pending until the requested parties are available for the requested meeting to occur. The request of the requester does not reach the target until he is available to view the request); and

Connecting the requester and the target when the requester and the target are mutually available (See column 7, lines 39-48, 51-55, and 59-65, and column 8, lines 1-6, wherein initiation of a real time meeting/conference between available parties is disclosed).

25. As per claim 10, Vardi et al. discloses a method further comprising dequeuing the request when the real time meeting successfully completes (See column 6, lines 9-12 and column 7, lines 39-43, wherein when the request for conference completes, the parties' status once again reflects availability and the previously pending request is then nonexistent).

26. As per claim 11, Vardi et al. further discloses a method wherein a system of the target is polled to determine the target's availability (See column 5, lines 22-25 and 67 and column 6, lines 1, 9-12, and 26-32, wherein the target is polled via a status acquirer to determine the availability of the target).

27. As per claim 12, Vardi et al. further discloses a method wherein the system of the target sends the target's availability status to the requester (See column 6, lines 9-12, 26-32, and 54-59, and column 7, lines 39-43 and 49-67, wherein the target's availability is sent to the requester via the request server and the status acquirer).

28. As per claim 13, Vardi et al. further discloses a method wherein the system of the requester is polled to determine the requester's availability (See column 5, 66-67, column 6, lines 1, 6-10, and 54-59, column 7, lines 49-67, and column 8, lines 1-6 wherein the target initiates a request for the status of the requester and the process repeats itself in the opposite manner. See specifically column 8, lines 3-6).

29. As per claim 14, Vardi et al. further discloses a method wherein the system of the requester send the requester's availability status to the target (See column 5, 66-67, column 6,

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lines 1, 6-10, and 54-59, column 7, lines 39-43 and 49-67, and column 8, lines 1-6, wherein the target initiates a request for the status of the requester and the process repeats itself in the opposite manner, the status of the requester being delivered to the target. See specifically column 8, lines 3-6).

30. As per claim 15, Vardi et al. discloses a method wherein mutual availability is determined by checking the availability of the requester and the target (See column 7, lines 39-43, 49-64, and 65-67, and column 8, 1-6, which discloses the callback function, wherein the requester requests a conference with the target and upon his/her availability, the target subsequently requests from the requester a real time meeting. See specifically column 8, lines 3-6. The process repeats until both parties are available for the real time meeting at which point the meeting initiates).

31. As per claim 16, Vardi et al. further teaches a method wherein a request is sent to a plurality of targets and mutual availability is determined when the requester and a quorum of the targets are available (See column 7, lines 49-64, wherein the conference call is initiated when the requester and the people currently available on the request for a conference call are ready).

32. As per claim 28, Vardi et al. teaches a computer-implemented method for the intermediation of real time meetings, comprising:

receiving an indication that a requestor party wants to request a real time meeting with one or more target parties (See column 5, lines 22-38 and 62-63, and column 6, lines 6-8, which discloses the systems of the target parties receiving indications that the requestor party wants to arrange a real time meeting);

receiving information indicating the availability of the requester party and one or more target parties to participate in the real time meeting (See column 5, lines 62-63, column 6, lines 6-9, and column 7, lines 39-48, 49-52, and 57-65, wherein information is requested and received concerning the availability of a requester and the availability of target parties. See column 6, lines 9-12 and 26-32, and column 7, lines 26-31, which discuss different types of availability);

determining that the requester party and one or more target parties are mutually available to participate in the real time meeting, in response to the received information (See column 7, lines 39-48, 49-52, and 57-65, wherein it is determined whether the parties are mutually available. See column 6, lines 9-12 and 26-32, and column 7, lines 26-31, which disclose ways of measuring availability); and

responsive to the determination that the requester party and one or more target parties are mutually available to participate in the real time meeting, initiating the real time meeting (See column 7, lines 39-48, 49-52, and 57-65, wherein the real time meeting is initiated when all parties are available).

33. As per claim 29, Vardi et al. discloses a computer-implemented method wherein the initiating further comprises informing the requester party and one or more target parties that they should initiate communication (See column 7, lines 39-47 and 65-67, and column 8, lines 1-6, wherein a request for conference/real time meeting is accompanied with a request to initiate communication with the requester. The requester has the ability to either initiate the meeting when the requester receives status information about the target or the request can be delivered with information about the status of the requester (available, not available for meeting) and request the target to initiate the contact).

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34. As per claim 30, Vardi et al. teaches a computer-implemented method wherein the initiating further comprises requesting the requestor party and one or more target parties to open a connection (See column 7, lines 39-47 and 49-67, and column 8, lines 1-6, wherein the request informs parties to open connections in order to participate in the conference/real time meeting).

35. As per claim 31, Vardi et al. teaches a computer-implemented method wherein the availability of the requestor party and one or more target parties is determined by checking at least one of: start or end of a call, other use of a phone, recent activity at the computer input devices, conversation near a microphone, lights turned on/off, weight in chair or on floor, motion sensor, opening/closing of door, spoken commands, computer keyboard/mouse based commands, touchtone commands, and scheduled periods of availability (See column 6, lines 9-12, 26-32, and column 7, lines 26-31, wherein different ways to determine a party's availability are disclosed).

36. As per claim 32, Vardi et al. discloses a system for intermediation of real time meetings, comprising:

a requester system for receiving a request from a requester party to initiate a real time meeting with one or more target parties associated with target systems (See column 1, lines 53-56, and column 5, lines 22-31, which disclose a user sending a request to a request server to initiate a real time meeting. See also column 7, lines 49-59, which discloses one or more target parties);

a first server system associated with the requester system, the first server system for determining availability of the requester party (See column 5, lines 62-63, column 6, lines 6-9,

and column 7, lines 39-48, wherein a status acquirer resides on the system of the requester and determines the availability of the requester);

a second server system associated with a target system, the second server system for determining availability of one or more target systems (See column 5, lines 62-63, column 6, lines 6-9, and column 7, lines 39-48, wherein a status acquirer resides on the system of the target and determines the availability of the target); and

a deciding agent in communication with the first server system, the second server system, the requester system, and the target system, the deciding agent for recording the request for the real time meeting, for receiving an indication that each the requester party and one or more target parties are available for the real time meeting, for determining whether the requester party and one or more target parties are mutually available for the real time meeting, and for initiating the real time meeting when all parties are mutually available (See column 1, lines 53-58, column 5, lines 62-66, column 7, lines 49-52 and 57-67, and column 8, lines 1-6, wherein a “middleman” decides when the two parties are mutually available, based on their received status information, and initiates a real time meeting/conference between the parties).

37. As per claim 33, Vardi et al. discloses a system wherein each the first server system and the second server system is further adapted to record the request for the real time meeting (See column 7, lines 39-47, wherein the request information is stored on the system of the requester/target user before action takes place).

38. As per claim 35, Vardi et al. teaches a system wherein the deciding agent is further adapted to communicate to the first server system to cease sending an indication that the requester party is available for the real time meeting (See column 6, lines 9-17, in which the

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physical status of the user is communicated to the status acquirer, and the status therefore reflects when the user ceases to be available. See also column 6, lines 26-32, and column 7, lines 26-31, which disclose other reason the user may be unavailable. Finally, see column 7, lines 49-65, wherein a mediator decides to conference the calls when all parties are available to meet. This agent would affect the status ascertained during a status check by another requester, and the requestor would consequently be unavailable).

39. As per claim 36, Vardi et al. discloses a system wherein the deciding agent is further adapted to communicate to the second server system to cease sending an indication that the target party is available for a real time meeting (See column 6, lines 9-17, in which the physical status of the user is communicated to the status acquirer, and the status therefore reflects when the user ceases to be available. See also column 6, lines 26-32, and column 7, lines 26-31, which disclose other reason the user may be unavailable. Finally, see column 7, lines 49-65, wherein a mediator decides to conference the calls when all parties are available to meet. This agent would affect the status ascertained during a status check by another requester, and the target would consequently be unavailable).

40. As per claim 37, Vardi et al. teaches a system wherein the deciding agent is further adapted to poll the first server system to determine the availability of the requester party (See column 7, lines 49-65, wherein the status acquirer of the first server system is polled to determine the user's availability).

41. As per claim 38, Vardi et al. teaches wherein the deciding agent is further adapted to poll the second server system to determine the availability of the target party (See column 7, lines 49-

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65, wherein the status acquirer of the first server system is polled to determine the user's availability).

42. As per claim 39, Vardi et al. discloses a system wherein the deciding agent is located at the target system (See column 7, lines 39-48, wherein the deciding agent that arranges the meeting and determines the availability of the parties for said meeting is located in the system of the target).

43. As per claim 40, Vardi et al. teaches a system wherein the requester system is further adapted to record the request to conduct the real time meeting (See column 7, lines 39-47, wherein the request information is stored on the system of the requester user before any action or initiation takes place).

44. As per claim 41, Vardi et al. teaches a system wherein the target system is further adapted to reject a request to add one or more target parties to the real time meeting and to communicate the rejection to the deciding agent (See column 6, lines 33-38 and 47-59, wherein the inability for a requester to poll a target is disclosed).

45. As per claim 42, Vardi et al. discloses a system wherein the target system is further adapted to receive an indication that the requester party and one or more target parties are available by monitoring the activity of the requester party and one or more target parties (See column 6, lines 9-12 and 26-32, and column 7, lines 26-31, wherein different ways to determine the availability of the requestor and/or target parties is disclosed).

46. As per claim 43, Vardi et al. discloses a system wherein the real time meeting is conducted using the telephone (See column 1, lines 53-58).

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47. As per claim 44, Vardi et al. teaches a system wherein the real time meeting is conducted using Internet telephony (See column 7, lines 31-34).

48. As per claim 49, Vardi et al. teaches a system further comprising a plurality of requester parties and a plurality of target parties, and wherein the deciding agent initiates the real time meeting when a quorum of the requestor parties and target parties is available (See column 7, lines 49-64, wherein the conference call is initiated when the requesters and the targets currently available for the requested real time meeting/conference call are ready. Finally see column 1, lines 55-56, which discloses multiple requesting parties).

49. As per claim 53, Vardi et al. discloses a computer program product stored on a computer readable medium for intermediation of real time meetings, the computer program product comprising:

program code for receiving an indication that a requester party wants to request a real time meeting with one or more target parties (See column 5, lines 22-38 and 62-63, and column 6, lines 6-8, which discloses the systems of the target parties receiving indications that the requestor party wants to arrange a real time meeting);

program code for receiving information indicating the availability of the requester party and one or more target parties to participate in the real time meeting (See column 5, lines 62-63, column 6, lines 6-9, and column 7, lines 39-48, 49-52, and 57-65, wherein information is requested and received concerning the availability of a requester and the availability of target parties. See column 6, lines 9-12 and 26-32, and column 7, lines 26-31, which discuss different types of availability);

program code for determining that the requester party and one or more target parties are mutually available to participate in the real time meeting, in response to the received information (See column 7, lines 39-48, 49-52, and 57-65, wherein it is determined whether the parties are mutually available. See column 6, lines 9-12 and 26-32, and column 7, lines 26-31, which disclose ways of measuring availability); and

program code for initiating the real time meeting, responsive to the determination that the requester party and one or more target parties are mutually available to participate in the real time meeting (See column 7, lines 39-48, 49-52, and 57-65, wherein the real time meeting is initiated when all parties are available).

Claim Rejections - 35 USC § 103

50. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

51. Claims 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vardi et al. (U.S. 6,389,127).

52. As per claim 34, Vardi et al. discloses a system wherein each the first server system and the second server system is adapted to receive and record a request for the real time meeting (See column 7, lines 39-48, wherein the request is received and recorded in the software of the target computer). However, Vardi et al. does not expressly disclose the first and second server system being adapted to delete the request for the real time meeting.

It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the first and second server systems to be able to delete the request for the real time meeting because deleting the original request for real time meeting upon the meeting's rescheduling or upon the conclusion of the event of the meeting is old and well known. One would be motivated to delete a request upon its acceptance because its removal would allow the system to maintain precise and easily readable records about the availability of a target and also minimize the use of memory in the process. By deleting requests directed at a specific target, a requester system polling the availability of said target would be able to easily ascertain its status without having to follow a trail of records.

53. Claims 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vardi et al. (U.S. 6,389,127) in view of Microsoft NetMeeting ("Microsoft NetMeeting 2.0: Overview and Frequently Asked Questions").

54. As per claims 45-48, Vardi et al. discloses a system wherein the real time meeting is specified as a telephone conferencing, an Internet telephone, or communication devices using CATV as part of the network infrastructure (See column 7, lines 31-38, wherein different types of real time meetings are disclosed). However, Vardi et al. does not expressly disclose a system wherein the real time meeting is specified as a text chat, an online collaboration tool, or a shared application.

Microsoft NetMeeting discloses a wherein the real time meeting is specified as a text chat, an online collaboration tool, or a shared application:

- i. As per claim 45, Microsoft NetMeeting discloses a system wherein the real time meeting is specified as a face-to-face meeting (See pages 1 and 4, wherein Microsoft

NetMeeting discusses NetMeeting's ability to hold face-to-face real time meetings/conferences).

ii. As per claim 46, Microsoft NetMeeting discloses a system wherein the real time meeting is specified as a text chat (See page 5, wherein Microsoft NetMeeting discusses NetMeeting's ability to conduct real time chat sessions).

iii. As per claim 47, Microsoft NetMeeting teaches a system wherein the real time meeting is an online collaboration tool (See page 5, wherein Microsoft NetMeeting discusses NetMeeting's capability of white boarding and shared clipboards, which allow the parties in the real time meeting to collaborate).

iv. As per claim 48, Microsoft NetMeeting discloses a system wherein the real time meeting is a shared application (See page 4, which discloses NetMeeting's application sharing capabilities).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a text chat, online collaboration tool, and/or shared applications as additional tools for conducting real time meetings because the incorporation of these old and well known capabilities would have increased the usefulness of the product to potential buyers, thus making the notification system more marketable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

ICQ for NetMeeting 2.0 (the following references explain the different aspects of ICQ for NetMeeting 2.0 and are considered as describing one product):

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- i. Article "Mirabilis Announces Special Version of its Popular ICQ To Support Microsoft NetMeeting 2.0" from ICQ Press Center, dated 04/28/1997
- ii. Article "An Internet Doorbell" by Bannan, Karen, from ICQ Press Center, dated 02/10/1997
- iii. Article "Communicating in real-time on-line" by Ibrahim, New Strait Times, dated 11/06/1997
- iv. Article "E.T. Surf Home" from ICQ Press Center, dated 11/15/1996
- v. Article "ICQ offers a revolution in peer-to-peer Internet communications" by Noles, Geoffrey, from elementK Journals, dated July 1997

ICQ for NetMeeting 2.0 integrates the functionalities of ICQ and NetMeeting 2.0, which include the ability to schedule a meeting by determining the availability of targets and requesting said targets to be in the meeting.

Pinard et al. (U.S. 6,230,287) teaches users requesting meetings with target specialist parties and waiting in a queue for said selected party to become free.

Strandberg (U.S. 6,330,243) discloses a means for holding an electronic chat session between an inquiring party and their target.

Goldfinger et al. (WO 98/16045) discloses monitoring the network connection status of a user and making this information available to a seeking user.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bvd

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June 13, 2002

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